IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5665 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

==========

1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? :

RAMESHCHANDRA SOMABHAI PATEL

Versus

SHETH VADILAL SARABHAI

Appearance:

MR KS ACHARYA for the Petitioner.
MR AMIT J SHAH for Respondent No. 1
NANAVATI & NANAVATI for Respondent No. 2

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 23/07/2002

ORAL JUDGEMENT

The petitioner has approached this Court for the issuance of a writ of mandamus directing respondent No.1 to implement Resolution No.258 dated 14.9.1983 and to give promotion to the petitioner as per seniority, from

1.11.1987.

In view of the affidavit-in-reply, wherein, inter alia, it is stated that the petitioner was not a meritorious candidate and, therefore, his juniors were promoted, I do not find any substance in this petition. It is also required to be noted that the petitioner has also retired by way of superannuation since long, as pointed out Mr.Acharya for the petitioner. The claim of the petitioner is also too stale. The petition is, therefore, dismissed. Rule is discharged with no order as to costs.

23rd July, 2002 (P.B. Majmudar, J.)

***

(apj)